

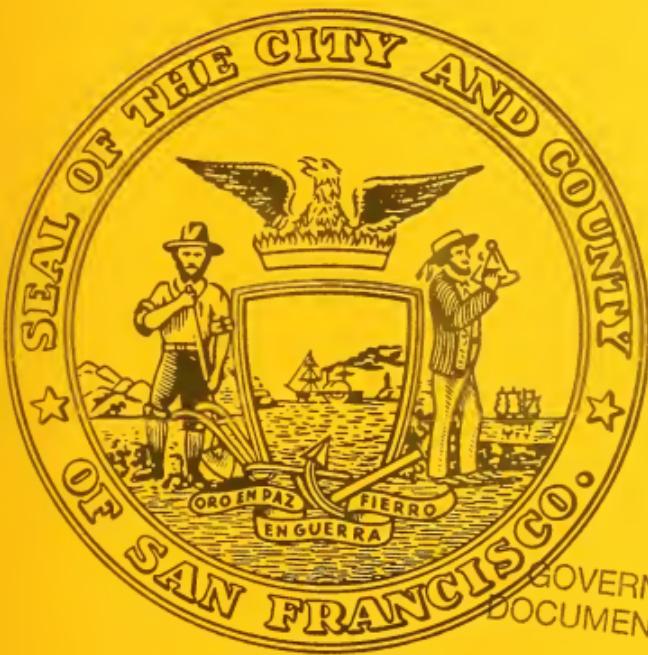
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"THERE OUGHT TO BE  
A LAW..."

(there is)



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SAN FRANCISCO  
SUMMARIES OF LAWS & REGULATIONS  
PERTAINING TO YOUTH AND PARENTS  
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THE SAN FRANCISCO POLICE DEPARTMENT

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## FOR E W O R D

"THERE OUGHT TO BE A LAW" --- These words are often used by people in order to create an alibi to avoid criticism of their own neglect in allowing their children to pass their own laws and to disregard the laws that are enacted by our elected officials.

Many youths are the victims of misguided supervision, bad examples and sometimes even neglect. Being a good parent in this day and age requires, among other things, plenty of hard work. We in law enforcement are prompted to believe that the parents' indifference to the problem of juvenile delinquency is partly due to lack of knowledge that laws are made for the safety and protection of society. It is the parents' duty and responsibility to train their children to respect the rights and property of others. No other person is as well qualified to instill discipline in their children as the parent is.

This booklet of laws and procedures is useless unless we can have your interest and cooperation. We urge that the booklet be discussed and studied by the entire family so that parents may be better informed of regulations which may save their own or someone else's son or daughter from becoming a juvenile delinquent.

This booklet has been prepared and published by the San Francisco Police Department as a public service for the information of the public in general.

POLICE COMMISSIONERS: Harold R. McKinnon  
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## TEEN COMMANDMENTS

1. Stop and think before you drink.
2. Don't let your parents down. They brought you up.
3. Be humble enough to obey. You will be giving orders yourself someday.
4. At the first moment turn away from unclean thinking --- at the first moment.
5. Don't show off when driving. If you want to race, go to Indianapolis.
6. Choose a date who would make a good mate.
7. Go to church faithfully. The Creator gave us the week; give him back an hour.
8. Choose your companions carefully. You are what they are.
9. Avoid "following the crowd". Be an engine not a caboose.
10. Or even better -- keep the original Ten Commandments.

## PREPARATION FOR SCHOOL

The first day of school introduces your child to many new experiences. Select the best route for your child to follow between home and school. Walk over this route with him. Point out the need for obeying traffic signals, staying on the sidewalk, and being cautious --- walking rather than running when crossing streets. Do this more than once until you are sure he knows the route you have selected for him and knows how to make the journey safely. Impress upon him that he is to come straight home from school daily.

## CIVIL DEFENSE

Be sure you are aware of the latest Civil Defense Plans for your child in case of a "Red Alert" or "Yellow Alert" during school hours. Your school will keep you up-to-date. For other Civil Defense information, call the nearest Civil Defense Office.

## CAUTIONS FOR YOUNG CHILDREN

Advise your child never to talk to strangers, or to accept money or favors from strangers for any reason. Impress upon your child the following rules:

1. NEVER take rides from strangers. -- If someone does try to entice your children into an auto, instruct them to run from the auto and attempt to remember the license number.
2. NEVER take money, candy or treats from strangers.
3. NEVER go with strangers who ask for directions.
4. NEVER play in alleys or deserted buildings under construction.
5. NEVER wait around lavatories in public places.

## BICYCLE RULES

If your child rides a bicycle, make sure he knows and follows the rules of the road:

1. The laws are the same for bicycles as for automobiles.
2. Keep to the right side of the road - as close to the curb as possible.
3. Ride single file.
4. Hitching a ride by hanging onto a moving vehicle is unsafe.
5. A bicyclist should walk his bicycle across busy streets.
6. It is generally unsafe to ride a bicycle in a city after dark.
7. Bicycles, if ridden at night, must be equipped with proper lights.
8. Bicycles should be kept in good repair for safety's sake.
9. Bicycles should be parked and locked in a safe place.
10. Bicycles must be properly registered and licensed.

## THEATER ATTENDANCE

Make theater-going a family affair or encourage your child to attend a matinee with a companion. Be sure the theater is well supervised in respect to the conduct of both the children and the adults in the theater. It is safer not to go to the lavatory alone. Do not let young children wander around the theater alone. //

## HITCH HIKING

HITCH HIKING IS AGAINST THE LAW (See Hitch-Hiking Law). No one should ever seek or accept a ride from a stranger. Police files are full of crimes committed against trusting hitch hikers. The list includes crimes of theft, kidnapping, assault, molestation and murder. Also, no one should ever give a ride to a stranger. It is dangerous for two reasons: First, the same crimes listed above are often committed against the driver: Second, the driver may be financially liable for injuries to 11 the rider in case of accident.

## PETTY THIEVERY

Petty thievery is a serious problem among children. Young children often "find" things that don't belong to them. Parents should be alert to unusual possessions their children may have and be conscientious about the return of stolen articles. Most common thefts are items from school desks and lockers, bicycles, bicycle parts or accessories, automobile hub caps, and small items from stores. Early attention to an understanding of the property rights of others is a vital part of every child's home training.

## CURFEW, PRIVATE AND PUBLIC

When your child goes out, especially at night, determine with him a reasonable but definite time to return home. In this way he knows what you expect of him. Discuss the Curfew Law with your teenagers and make sure they understand what to do in case of any unforeseen difficulty (See Curfew Ordinance).

## PARTY PLANNING

When planning a teen-age party, parents may save trouble by following a few simple rules:

1. Both parents should be home during the party.
2. Invitations should state both the starting and ending time.
3. Persons not invited should not be admitted.
4. Guests should be informed they are not to invite others.
5. Parents should know the names, addresses and telephone numbers of all the guests.
6. Parents of invited girls and boys should make sure that there will be proper supervision before allowing them to attend.
7. Be sure that alcoholic beverages are neither to be served nor used. (See Liquor Laws).
8. It is a good idea to notify the Police Department before giving a large party.

## PARTY CRASHING

Party crashing often develops from a failure to have a firmly written invitation list of guests. If a party is maliciously "crashed" by unruly intruders, do not hesitate to call the police at once. (See Trespass under Party Crashing).

## SLUMBER PARTIES

The parents of all the girls invited to an overnight "slumber party" should always communicate with the mother who is supposed to be in charge of the party, as it could be a subterfuge to hide some

1. With whom is he going and where?
2. How will he get there and when is he due home?

Take the trouble to know the atmosphere of the places where he goes. Do not feel that you are snooping or showing lack of trust or faith when you check on the activities of your children now and then. This is part of your duty as a parent when your child is old enough to be spending a lot of time outside the home.

#### INTRODUCTION TO SELECTED STATUTES AND ORDINANCES

The following section of the booklet presents a brief description of selected statutes and ordinances which are deemed to be most pertinent to the young people of this community. It is believed that this material will be helpful, notwithstanding its necessary limitations.

It is clearly impracticable for the booklet even to mention all the laws applicable to young people, or to present the full text of any of the ordinances or statutes. Nor is it possible for the booklet to try to explain all the meanings, exceptions and distinctions which are properly an integral part of the living body of the law. Even in simple manners, specialized training and experience are often required for a full understanding of legal questions. For these reasons, the information in the booklet is not to be regarded as a final authority on any legal question.

The reader of this booklet should also bear in mind that many of the statutes and ordinances are amended every year.

If you wish a complete answer to any legal problem, it is usually advisable to consult a lawyer of your own choice.

The abbreviations which are used to designate the various codes are as follows:

ABC - Alcoholic Beverage Control Act  
BPC - Business and Professional Code  
CC - Civil Code  
EC - Educational Code  
HSC - Health and Safety Code  
LC - Labor Code  
MPC - Municipal Police Code  
PC - Penal Code  
VC - Vehicle Code

#### BICYCLE LICENSE

All bicycles having a wheel diameter of 20 inches, or over, must be licensed with the Tax Collector's Office, Room No. 105, City Hall, any weekday between the hours of 8:00 A.M. and 5:00 P.M.

The fee for such license is 50¢ per calendar year.

The main purpose of a license is to discourage the stealing of bicycles, and to enable the Police Department to return lost or stolen bicycles to the owners.

If a bicycle is licensed, the chances are twice as great that it will be recovered if lost or stolen. Thus, the license fee of 50¢ per year may be considered cheap "insurance".

#### TRAFFIC RULES

In general, bicycle riders are required to observe the same "rules of the road" and the same traffic regulations that are applicable to automobiles. (21050 VC.)

## LIGHTS

At night every bicycle on the road must have a white light which can be seen from a distance of 300 feet in front of the bicycle and an approved type of red reflector on the rear of the bicycle. (25652 VC)

## UNAUTHORIZED BORROWING OF BICYCLES

The "borrowing" of a bicycle ---- without the owner's permission ----- merely for the purpose of using it temporarily and with the intention of returning it is a misdemeanor. (PC 499b).

## CURFEW

No person under the age of 18 years shall loiter about a public street or other public place after 11:00 P.M., unless accompanied by a parent or legal guardian. Parents are subject to prosecution if they allow or permit their children to violate this ordinance (539 MPC). In essence, the word "loiter" is meant to apply to those who hang around a public place where they are apt to get into trouble. This does not apply to persons on their way home from a dance, movie or other affair, so long as he does not stop or loiter. It is alright for young people to stop on the way home for refreshments or other legitimate purposes as long as their actions are respectable and that they conduct themselves as ladies and gentlemen.

## DRIVER'S LICENSE

### General Requirement

It is unlawful for any person to operate a motor vehicle unless he has a valid license or permit issued by the California Department of Motor

Vehicles (VC 17700). Even if a child drives under the immediate supervision of his parent, the child must have either a driver's license or an instruction permit issued by the Department (VC 12509). A parent may be prosecuted if he causes or permits his child to drive without a valid license or permit (VC 14607).

#### MOTOR BIKES AND MOTOR SCOOTERS

The foregoing requirements concerning drivers' licenses and instruction permits apply to motor bikes and motor scooters as well as automobiles.

#### AGE LIMIT

A limited "instruction permit" may be issued by the Department to a child 16 years of age, but it is valid for only six months, and so allows the holder of the permit to drive an automobile only when accompanied by and under the immediate supervision of a fully licensed driver over 18 years of age. (VC 12509)

#### DRIVER TRAINING

After September 11, 1957, a person who is over the age of 15 years and 6 months and who has successfully completed in this State a secondary school course in driver training (behind the wheel) may be licensed as an operator. (VC 12512)

In general, no person under the age of 21 years may obtain a driver's license unless the application is signed and verified by his parents or guardian (VC 17700). When a parent signs for his child's driver's license, the parent thereby assumes substantial financial liability for damage caused by the child's operation of any motor vehicle (VC 17707). Whether or not the child is licensed, the

parent may be held liable for damages in a substantial amount if the child operated the motor vehicle with the parent's expressed or implied permission (VC 17708). (See "Liability of Parents for Acts of Their Children".)

### EMPLOYMENT OF MINORS

#### General Rules

Laws governing the employment of minors as indicated in the California Education Code are very specific. In general, all minors under the age of 18 must have a work permit for jobs out of school hours or full time employment. Every employer must have a permit before a minor may be employed. These many rules and restrictions relating to the employment of minors are designed to protect their health, safeguard them against accidents, prevent unreasonable interference with their education, and keep them out of environments which might contribute to delinquency (EC 16731, 17001, 17081, LC1290 et seq.).

#### WORK PERMITS

In general, an official "Permit to Work" must be obtained to cover the employment of any person under the age of 16 years. A permit is also generally required for the employment of a person between the ages of 16 and 18 years if the juvenile has not yet graduated from High School. The employer of such minors must also have a "Permit to Employ" from the State. The work permits are issued to the students, in the proper cases, by the principal of the High School the juvenile attends. (These work permits are required even for employment after school or during vacations. No permit is required, of course, for work done around the home or for odd jobs in the neighborhood.)

## NEWSPAPER BOYS AND SHOE SHINE BOYS

Newspaper boys do not require work permits if they are independent merchants in business for themselves instead of being hired to work for an employer. However, under all circumstances it is unlawful to permit a child under the age of 10 years to sell newspapers or engage in any of the occupations, such as peddling, bootblack (LC 1298).

Section 551 of the MPC states that it is unlawful for any person under the age of 18 years to sell any merchandise or render any service to a person or in any place or premise where alcoholic beverages are sold or dispensed. (Section 552 MPC). The proprietors of these establishments may be prosecuted as violators.

## FIGHTING, ASSAULT

It is unlawful to attempt or commit violent injury, use force or violence, throw chemicals or use a deadly weapon, or instrument of force likely to produce bodily injury upon another person. (PC 240, 242, 244, 245).

## FIRECRACKERS AND FIREWORKS

No person may sell, buy or possess any fireworks which are considered dangerous fireworks (Section 12752 of the H & S Code). Dangerous fireworks are defined under Section 12503 of the H & S Code. In essence, all fireworks or firecrackers are illegal. Many children are still hurt each year by firecrackers. It is suggested that the 4th of July you plan to attend one of the excellent and safe firework displays presented by professionals in the Bay Area.

*V*  
GUNS, DARTS AND KNIVES

It is unlawful for any person, regardless of age, to sell or possess any snap blade or spring blade knives, (Section 1292 MPC). Section 1291 MPC prohibits any person loitering with a dangerous weapon, a knife with a blade of 3 inches or any sharp instrument. Sections 608 and 609 MPC prohibits sale or possession of darts or any pointed missile intended to be thrown by hand.

It is unlawful to discharge a starter gun or possess the ammunition (Section 12600 H & S Code).

It is unlawful to possess or sell in the City and County of San Francisco, a slingshot or BB Gun (602 MPC), regardless of age.

These laws are intended to keep all firearms, BB guns, dangerous weapons and knives out of the hands of unauthorized persons. These laws are also broad enough to cover bows and arrows.

HITCH HIKING

It is unlawful for any person to stand in a roadway for the purpose of asking for a ride (VC 21957). The roadway generally includes the curb to curb area. (Hitch Hiking has been made illegal because it is the cause of many traffic accidents. It is especially dangerous in the case of young boys and girls, as it is an easy method of approach most often used by sex perverts.)

PROPERTY DAMAGE

Do not allow your children to play near any vacant building or construction job. They may be injured or may cause property damage. Young children like to shoot BB guns, and playing with such

guns seem invariably to result in property damage or personal injury. Remember that it is unlawful for a person to possess a BB gun (Guns, Darts and Knives). Parents may have a legal liability for property damage caused by their children.

In addition to any other liability that may be imposed by law, a recent amendment of the Civil Code provides that parents are liable for any damage to property caused by the wilful misconduct of their minor children, regardless of whether the parents were in any way at fault (CC 1714.1). (The parents' liability under this particular code section is limited to \$300.00 for any one act of misconduct by the child.)

Another statute provides that parents are liable, without any limitation as to amount, for any damage caused to school property by the wilful act of their child (ED 16074). (Under more general rules of law a parent may sometimes be held liable for damages caused by his child where the parent participated to any material degree in the situation which resulted in the damage. However, under some circumstances, the liability of parents may be based on inaction where such inaction may be said to constitute negligent failure to provide supervision. See also the reference to "Parents' Liability for Damages" under the topics of Drivers' Licenses.)

#### LIQUOR LAWS

It is unlawful for any person to sell or give any alcoholic beverage to a minor, or for a minor to buy or possess any alcoholic beverage. It is also a crime for any minor to misrepresent his age in order to buy liquor or to show any written evidence of age which is false or not his own. (ABC 25661, 25662.

(This group of laws applies to any person under the age of 21.)

It is also unlawful to be habitually intoxicated in the presence of any child (PC 273g).

#### MINORS POSSESSING FALSE ID CARDS

Under Section 25661 of the Business and Professional Code, any minor who possesses, or any person who furnishes any person under the age of 21, with false or fraudulent card, or photostat, identifying the person as being over the age of 21 years, is guilty of a misdemeanor.

#### LOITERING AROUND SCHOOLS

Children should report to a teacher any suspicious persons loitering about their school.

Every person who loiters about any public school or public place at or near which school children attend is a vagrant and is punishable by a fine of not exceeding five hundred dollars (\$500), or by imprisonment in the County Jail for not exceeding six months, or by both such fine and imprisonment. (PC 647a)

#### MORALS OFFENSES

A wide variety of laws protects young people against immoral practices. If you have knowledge of the commission of any morals offense (indecent exposure, molestation, etc.), you should immediately report it to the police department, even if you do not have definite evidence of the identity of the offender. If you are able to identify the offender, then it is your responsibility to:

1. File a complaint with the police department immediately.
2. Be prepared to cooperate as a witness.

By doing these things, you will help protect your own children and all other young people in your community, and your cooperation may prevent the commission of more serious crimes by the same person in the future.

#### SECRET CLUBS AND FRATERNITIES

It is unlawful for any person enrolled in any elementary or secondary school of this State to join or become a member of any secret fraternity, sorority, or club wholly or partly formed from the membership of pupils attending the public schools, or to take part in the organization or formation of any fraternity or secret club (EC 16075).

#### TOBACCO

Smoking or having tobacco on school premises constitutes good cause for the suspension or expulsion of a pupil (EC 16073).

Every person, firm or corporation selling or giving to a minor under the age of 18 years any tobacco, cigarette papers, or any other preparation of tobacco, is guilty of a misdemeanor, and shall be punished for the first offense by a fine of not less than twenty-five, or more than one hundred dollars or by imprisonment for not more than sixty days (PC 308).

#### PARTY CRASHERS

This constitutes trespassing (Section 602.5 of the Penal Code). An offender should be promptly asked to leave if uninvited. If a party crasher or any person is asked to leave private premises by the owner or person in charge and fails to do so, he is guilty of a misdemeanor. If a person comes onto private property after having been told to stay off by the owner, he is guilty of a misdemeanor. The police may be called and they will assist in enforcing these laws.

## POLICE RECORDS

Any person may be arrested for commission of a crime. There is no age limit. This applies to the relatively minor crimes known as misdemeanors as well as the more serious crimes which are classified as felonies.

The importance of avoiding a police arrest record cannot be over-emphasized. These records are almost always examined when a person enlists in the armed forces, runs for public office, or applies for a civil service job or for any employment that might affect our national security. These records are also usually consulted when a person applies for any of the various occupational licenses required by law. For these reasons, a police arrest record may make it very difficult -- and sometimes impossible -- for a person to obtain the kind of employment which he most desires.

## SCHOOL ATTENDANCE

Children between the ages of 8 and 16 years must attend school full time unless specifically exempted by law (EC 16601). Under specified circumstances children under 18 who have not yet graduated from high school may be required to attend certain classes (EC 17001).

Samples of illegal excuses for absences which violate Section 16601, Education Code are:

1. Answer traffic citation
2. Assist with house work
3. Attend show
4. Baby sitting
5. Carry papers
6. Entertain visiting relatives
7. Help care for others in family
8. Just don't want to attend school
9. Lack of shoes or clothing

10. Non-enrollment
11. Go on outings or trips
12. Run errands
13. Go shopping
14. Take private music, drawing or other lessons
15. Visit friends
16. Drive parents to airport, doctor, etc.

The Education Code provides for absence from school for religious instruction, and such absence shall not be deemed absence in computing average daily attendance, if all specified conditions are complied with. Pupils must have written consent of their parents or guardians in advance. Each pupil so excused shall attend school at least the minimum school day (four hours) before being excused. Pupils shall not be excused more than four days in one school month (EC 8286) //

#### SELECTED EDUCATION CODE PROVISIONS

NOTE: The following are either the full text or briefs of the sections of the Education Code which particularly apply to the operation of the elementary schools:

Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. (EC 13557)

Every parent, guardian, or other person who upbraids, insults, or abuses any teacher in the public schools, in the presence or hearing of any pupil is guilty of a misdemeanor. (EC 13559)

Any parent, guardian, or other person who insults or abuses any teacher in the presence of the school is guilty of a misdemeanor, and is punishable by a fine of not less than ten dollars (\$10.00) nor exceeding one hundred dollars (\$100.00). (EC 13560) //

## MILITARY OBLIGATION

All young men are required to register with the Selective Service within five days after their eighteenth birthday.

## MALICIOUS ACTS

It is unlawful to:

1. Maliciously damage books, etc., in any public library, exhibition, etc. (EC 28801)
2. Remove, displace, injure, or destroy any part of any railroad, etc., or to place an obstruction on the tracks, etc., tamper with apparatus, trespass or evade payment of fares on any railroad. (PC 587, 587a, 587b, 587c)
3. Throw glass or substances likely to injure persons, animals, or vehicles on any public highway or remove or damage, etc., barriers, signs, or lights on highways, telegraph lines, telephone or electrical lines, or public utilities. (PC 588a, 588b, 590, 591, 593, 593b, 593c)
4. Poison or maliciously kill or injure animals. (PC 596, 597 and related sections)
5. Trespass on privately owned lands under cultivation, or enclosed by a fence, or uncultivated or unenclosed lands where signs forbidding trespass are displayed; or fail to immediately leave such lands when ordered to do so by the owner; or injure crops; or remove, deface, or alter landmarks. (PC 602, 604, 605)
6. Enter dwellings or structures built for human occupation and injure or destroy any property; or to injure or destroy any place of confinement. (PC 603, 606)

7. Maliciously injure or destroy any real or personal property not otherwise specified. (PC 594)
8. Not to immediately relinquish a party line when the line is needed for an emergency telephone call. (PC 384)
9. Wilfully tamper with a fire alarm apparatus or send a false alarm by public fire alarm box or by any other means. (PC 625a)
10. Wilfully resist, delay, or interfere with any law enforcement officer, in the discharge or attempt to discharge any of his duties. (PC 148)
11. Make any false police report. (PC 148.5)

#### CONTRIBUTING TO THE DELINQUENCY OF A MINOR

It is unlawful:

1. For any person to commit any act or omit the performance of any duty, which causes any person under twenty-one years of age to come within the provisions of Sections 600, 601, or 602 of the Welfare and Institutions Code.
2. For any person who by any act or omission, or by threats, commands, or persuasion induces or endeavors to induce any minor or ward or dependent child of the Juvenile Court, to fail or refuse to conform to a lawful order of the Juvenile Court. The District Attorney shall prosecute all violations charged under this section (PC 272)

#### MARRIAGE LAWS

1. A male twenty-one years of age or older, or a female eighteen years of age or older, may marry without parental consent. (CC 56)

2. A male eighteen or older or a female sixteen or older may marry if they have the consent of their parents. (CC 56)
3. A boy under eighteen or a girl under sixteen needs both the consent of his or her parents and the approval of the Juvenile Court. (CC 56)

#### DISTURBING OR DISORDERLY CONDUCT

It is unlawful:

1. To disturb the peace and quiet of any neighborhood or person by offensive conduct, fighting, vulgar or profane language. (PC 415)
2. To throw any substance at a vehicle. (VC 23110)
3. To drive a motor vehicle with cut-out, pipes, faulty muffler or any other device causing excessive or unusual noise. (VC 27150)
4. If two or more people assemble, and their assembly results in disturbing the public peace, they are legally obliged to disperse when a law enforcement officer commands them to do so. (PC 416)



